

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

EUGENE KENNETH JONES,)
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Plaintiff,)
)
)
v.) No. 4:09CV118 HEA
)
)
MARVIN JOHNSON, et al.,)
)
)
Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's pro se motion for leave to proceed in forma pauperis on appeal.¹ Plaintiff is represented by counsel in this matter. A civil plaintiff "has no constitutional or other right to conduct his own case pro se and have the aid of counsel to speak and argue for him at the same time." *Brasier v. Jeary*, 256 F.2d 474, 478 (8th Cir. 1958); *see also* Fed. R. Civ. P. 11(a) (requiring signature of attorney of record on all pleadings and motions). As a result, the Court will strike the motion from the record.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's pro se motion for leave to proceed in forma pauperis on appeal [#45] is **STRICKEN** from the record.

¹Plaintiff's pro se notice of appeal is interlocutory, as no final judgment has been entered in this action.

IT IS FURTHER ORDERED that plaintiff shall not submit any future pro se pleadings, motions, or other papers while he is represented by counsel in this action.

Dated this 10th day of December, 2009.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE